

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

(1) OMAR ANDRADE,

Defendant.

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SA-22-MJ-00444-ESC

ORDER

Before the Court is the above-styled cause of action, in which Defendant Omar Andrade is charged with operating a motor vehicle while intoxicated in violation of 18 U.S.C. § 13 and Section 49.04 of the Texas Penal Code. On this day, the Court held a final pretrial conference, at which counsel for both parties appeared in person. At the hearing, the Court addressed Defendant's Motion in Limine [#24], which asks the Court for a pretrial ruling on the admissibility of the Government's law enforcement witness, Sergeant Cody A. Corbill, prior to admitting his testimony. Defendant expects Sergeant Corbill to give testimony regarding Standardized Field Sobriety Tests ("SFSTs"), including but not limited to the Horizontal Gaze Nystagmus ("HGN") test. At the hearing, the Court issued an oral ruling, granting the motion. The Court will permit Defendant to question Sergeant Corbill on his qualifications and training with respect to the SFSTs performed on Defendant prior to allowing Sergeant Corbill to testify on the results of these tests at trial. As this case is set for a bench trial, this questioning will occur on the day of trial when Sergeant Corbill is called as a witness.

IT IS THEREFORE ORDERED that Defendant Omar Andrade's motion in limine [#24] is **GRANTED** as set forth herein.

SIGNED this 6th day of January, 2023.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE